IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.126 OF 2005

Shiwanand Gourishankar
Basawanti ..Petitioner.

Vs.

Debt Recovery Tribunal
& Ors. ..Respondents.

Mr.N.M.Ganguli for the petitioner.

Ms.Poonam Naik i/b.M/s.Shaunak Satpute & Co. for respondent No.2.

CORAM: R.M. LODHA AND
S.J.VAZIFDAR, JJ.
DATED: 13TH JULY, 2006

P.C. :

Having considered the entire material available before us, we are of the view that the grievance of the workers about their claim has to be redressed before the appropriate forum. We find from the order dated 6.10.2005 in the Recovery Proceedings No.464 of 2002 (pages 96 to 99 of the paper-book) that the workers' claim is to be adjudicated by the D.R.T. as per the directions of this Court.

2. The grievance regarding the sale of the property by private treaty, also has to be agitated in proper proceedings. In any case, we are satisfied that the

controversy raised in the writ petition does not deserve to be gone into in Public Interest Litigation.

3. We may also record that BIFR has recommended winding up of M/s.Laxmi Vishu Textile Mills Ltd. and the matter has been referred to this Court in its company jurisdiction.

4. For all these reasons, we dispose of the Public Interest Litigation. All aggrieved parties shall be at liberty to pursue appropriate remedy for redressal of their grievance.

(R.M. LODHA, J.)

(S.J. VAZIFDAR, J.)